

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST

Paper No. 559

- 1 -

THE UNITED STATES OF AMERICA, et al

vs

ARAKI, Sadao, et al

- Defendants -

1. COMES NOW SHIMADA, Shigetaro, being one of the accused now on trial before this Tribunal, and in accordance with Section III, Article 9 (e) of the Charter, together with Order No. 492 of the Tribunal, respectfully requests an order for the production of the following named witnesses and documents considered necessary in his defense:

A. TOYODA, Soemu;

- (a) Nationality of the witness is Japanese;
- (b) He was an Admiral in the Japanese Navy and was in attendance at negotiations pertaining to the London Naval Conference. He is at present confined in Sugamo Prison;
- (c) His testimony is considered relative to the defense of the above accused and concerns matters mentioned in Appendix A, Section Three of the Indictment;

B. FUKUTOME, Shigeru;

- (a) Nationality of the witness is Japanese;
- (b) He was a Vice Admiral in the Japanese Navy and at present is in Singapore, although it is believed that he is not confined as a prisoner of war;
- (c) This witness is desired because of Defense's belief

- 1 -

that he was a Liaison Officer between the Naval General Staff and the Foreign Ministry. His testimony is considered necessary in regard to Counts 7, 20, and 39 of the Indictment;

C. OKOCHI, Denshichi;

- (a) Nationality of the witness is Japanese;
- (b) He was a Vice Admiral in the Japanese Navy and is at present in Manila, believed to be a prisoner of war;
- (c) His testimony is desired for the purpose of answering allegations in Appendix A, Section Nine of the Indictment, since witness was Commanding Naval Officer at the time of the matters mentioned in the Indictment pertaining to Shanghai;

D. ONODA, Sutejiro;

- (a) Nationality of the witness is Japanese;
- (b) He was a Naval captain and assistant to the above-named FUKUTOME. He is believed to be in Singapore at the present time although not a prisoner of war;
- (c) As assistant to the above-named FUKUTOME, it is believed this witness may be able to supply information vital to the Defense in regard to liaison matters between the Naval General Staff and the Foreign Ministry;

E. OIKAWA, Koshiro;

- (a) Nationality of the witness is Japanese;
- (b) He was former Navy Minister preceding the accused SHIMADA;

- (c) His testimony is considered relevant to the defense of the accused, and concerning matters mentioned in Counts 7, 20, and 39 of the Indictment, et al;

F. YOSHIDA, Zengo;

- (a) Nationality of the witness is Japanese;
- (b) He was former Navy Minister and Admiral in the Japanese Navy;
- (c) His testimony is considered relevant to the defense of the accused; and concerning matters mentioned in Counts 7, 20, and 39 of the Indictment, et al;

G. SAWAMOTO, Yoshio;

- (a) Nationality of the witness is Japanese;
- (b) His testimony is considered relevant in connection with the Japanese occupation of South French Indo-China; the defense of the South Sea Islands, and the Japanese-American Negotiations, together with the circumstances that led to the war;

H. NOMURA, Kichisaburo;

- (a) Nationality of the witness is Japanese;
- (b) He was Ambassador to the United States at time of the attack on Pearl Harbor;
- (c) His testimony is considered relevant and important, and concerns events leading up to the breaking off of diplomatic relations with the United States;

LIST OF RECORDS AND DOCUMENTS REQUESTED, RESERVING THE RIGHT TO INSPECT AND WITHDRAW FROM THE FILLS THOSE WHICH ARE PERTINENT AND RELEVANT TO THE DEFENSE OF THE SAID ACCUSED:

The following tables compiled by the United States Navy Department:

- A. Separate tables, each of which showing the number and displacement tonnage of each kind of warship (1) completed and (2) still in the progress of being built on 7 December 1941, together with those that show those figures at the end of every year beginning from 1931 to 1945;
- B. List of battleships, airplane carriers and A and B classes of cruisers in the period mentioned;
- C. List of Navy personnel for the same period, including reserves;
- D. Tables showing construction plan of warships and Navy airplanes for same period;
- E. Records of the United States Senate, as well as those of Committees of Foreign Affairs and Navy from April 1930 to 1945, located in the files of the United States Senate;
- F. Records of the meetings of the United States Naval Committee of the Senate, dating from 1940, located in the files of the United States Senate;
- G. All diplomatic documents and telegrams between the United States of America and England, dating from April 1941 to January 1, 1942, located in the United States Department of State and also in the British Foreign Ministry;
- H. All official documents pertaining to the Yalta, Quebec, and Pacific Conferences, located in the United States Department of State and also in the British Foreign Ministry;
- I. United States documents pertaining to the Japanese-

American Conference, located in the United States Department of State;

- J. "The Conduct of the Sea Campaign", (Yarnel, Pye, Frost, 1920) located in the United States Navy Department;
- K. "Woodrow Wilson, the World Settlement", published in the United States of America in 1928; .
- L. "Life", an American magazine published on 24 October 1945;
- M. "Jane's Fighting Ships", 1941, 1942, published by Sampson, Low, Marston & Co., Ltd., London.

CHARACTER WITNESSES REQUESTED BY THE ACCUSED:

- A. Captain H. H. SMITH-HUTTON;
 - (a) Nationality of the witness is American;
 - (b) He was former Naval Attache, American Embassy, Tokyo, Japan, and was well acquainted with the accused;
 - (c) It is believed he will testify as to the accused's general reputation; he is at present in command of the USS LITTLE ROCK (CL92), % Postmaster, New York. Permission to submit interrogatories will be requested later;
- B. KANEKO, Kiyota;
 - (a) Nationality of the witness is Japanese;
 - (b) He will testify as to the general reputation of the accused;
- C. SHIZEKI, Ihei;
 - (a) Nationality of the witness is Japanese;
 - (b) He will testify as to the general reputation of the accused;

- 2. The facts to be proved by these witnesses are the policies,

utterances and actions of the accused SHIMADA during the time in which he is charged by the Indictment;

3. That the documents requested are all relevant and material for the purpose of establishing the growing strength of the United States Navy and the manner in which the foreign policy of the United States was carried on, and the conversations and publications which established it;

4. The relevance of the testimony of these witnesses, all of whom were associated with the accused SHIMADA in various capacities at the time charged in the Indictment is, in its tendency, to establish that the accused SHIMADA took no part in any of the conspiracies charged to him, and was not in any way connected with the planning, initiating or waging of wars of aggression;

5. The date upon which attendance of the witnesses will be required for testifying cannot be stated accurately, but their attendance for consultation with counsel is required forthwith.

SHIMADA, Shigetaro

By his counsel

TAKAHASHI, Yoshitsugu

and

Edward P. McDermott

Dated 15 November 1946,
Tokyo, Japan